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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 8th day of June 1998

BEFORE

THE HON'BLE MR.JUSTICE G.C.BHARUKA

WRIT PETITION NOS.12392 & 12393/1998

Between:

1. Sri.M.Chandrakeerthy,
S/o late M.Vikramandara,
No.691, 2nd floor,
5th main, BSK I Stage,
Srinagar,
Bangalore-560050.

SP
... Petitioner in
W.P.No.12392/98

2. Sri C.S.Mallikarjunappa,
S/o late Sri.Siddappa,
No.1074, 11th cross,
J.P.Nagar, I phase,
Bangalore-560 078.

... Petitioner in
W.P.No.12393/98
...

(By Sri K.Lakshminarayana Rao, Advocate).

And:

1. The Karnataka State Industrial
Co-operative Bank Limited,
No.11, Bull Temple road,
Bangalore-4,
by its Secretary.

2. The Registrar of
Co-operative Societies in
Karnataka,

....2/-

5A

Aliaskar road,
Bangalore-560 052.

3. The State of Karnataka,
represented by its Secretary,
Department of Co-operation,
Multistoried building,
Dr. B. R. Ambedkar vee di,,
Bangalore-560 001. ... Respondents.

This writ petition is filed under Articles 226 & 227 of the Constitution of India praying to direct R -1 to consider the representations dt. 5-2-98 of the petitioners vide Annexures M and P, release and pay the dearness allowance to the petitioners on par with the declaration made by the State of Karnataka as per the Statement enclosed to Annexures M and P as Annexure-II and in accordance with the subsidiary Rules of the Karnataka Industrial Co-operative Bank Ltd., etc.

This writ petition coming on for preliminary hearing this day, the Court made the following:-

O R D E R

Petitioners 1 and 2 ^{who were} in the service of the
1st respondent-Bank, pursuant to their resignations
have ceased to be in employment since 31-1-96 and
30-3-96 respectively.

...3/-

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2. Precisely their grievance is that despite the representations filed by them before the 1st respondent (Annexure M and P) the instalments of D.A. as admissible to them pursuant to the Government Orders has not been released so far.

3. The petitioners' prayer inter alia is to direct the respondents to dispose of the representations in the said regard and if found admissible as per the Resolution of respondent-Bank, the same be paid forthwith. Keeping in view the nature of the prayer made, these writ petitions are being disposed of with a direction to the 1st respondent to dispose of the representations of the petitioners at Annexures-M and P within a month from the date of communication of the present order by the petitioners and if it is found that the petitioners are entitled to the D.A. the same should be paid within a month therefrom and in case it is held that the petitioners are not entitled to any

....4/-

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such D.A., then the reasons should be
communicated to the petitioners under a
Registered post.

It is clarified that if the petitioners
claim D.A. under any other Government Order in
the representations referred to above that may
also be examined in accordance with law.

Sd/-
JUDGE



rsk